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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAMES BRADY, SARAH CAVANAGH, and
IVA CHIU, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

DELOITTE & TOUCHE LLP, a limited liability
partnership; and DOES 1-10, inclusive,

Defendants.

Case No. C-08-00177-SI

**STIPULATION REGARDING
APPLICABILITY OF AMENDED
RULE 26**

Dept.:
Judge: Honorable Susan Illston

Action Filed: January 10, 2008

1 The parties to this action recognize that amendments to the Federal Rules of Civil
 2 Procedure effective December 1, 2010, have modified the requirements of Rule 26 with respect to
 3 communications, disclosures, and other matters relating to experts. The Supreme Court's Order
 4 amending Rule 26 and dated April 28, 2010, indicates that the amendments shall govern
 5 proceedings pending as of December 1, 2010, "insofar as just and practicable." *See* United States
 6 Supreme Court Order Amending Federal Rules of Civil Procedure, dated April 28, 2010. In order
 7 to remove doubt as to whether and when the 2010 amendments shall apply to the present action,
 8 and to provide that a single standard shall apply commencing as of the date of the filing of the
 9 original complaint, the parties have entered into this stipulation.

10 Therefore, it is hereby stipulated and agreed by and between the parties, through their
 11 respective counsel, that the current provisions of Federal Rule of Civil Procedure 26, as amended
 12 December 1, 2010, (including without limitation the provisions relating to communications with
 13 experts) shall apply fully to the present action, commencing as of the date of filing of the original
 14 complaint.

15 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

16 Dated: May 2, 2011

LINDA E. SHOSTAK
 JAMES E. BODDY, JR.
 MARY F. HANSBURY
 MORRISON & FOERSTER LLP

19 By: /s/ James E. Boddy, Jr.
 20 JAMES E. BODDY, JR.

21 Attorneys for Defendant
 DELOITTE & TOUCHE LLP

22 Dated: May 2, 2011

WILLIAM A. BAIRD
 JEFFREY K. COMPTON
 DARIA DUB CARLSON
 MARKUN ZUSMAN & COMPTON LLP

25 By: /s/ William A. Baird
 26 WILLIAM A. BAIRD

27 Attorneys for Plaintiffs and the
 28 Certified Class

ECF CERTIFICATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this efiled document.

/s/ James E. Boddy, Jr.
JAMES E. BODDY, JR.